SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1543

(SENATE AUTHORS: BROWN, Kiffmeyer, Ruud, Thompson and Westrom)

DATE	D-PG	OFFICIAL STATUS
03/09/2015	614	Introduction and first reading Referred to Education

A bill for an act

relating to education; providing for participation in athletic teams; establishing the Student Physical Privacy Act; proposing coding for new law in Minnesota Statutes, chapter 121A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[121A.041] ATHLETIC TEAMS; PARTICIPATION.**

Subdivision 1. **Level of skill and ability.** An elementary or secondary school may make participation on a team in a sport dependent upon a demonstrated level of skill and ability.

Subd. 2. **Female teams; male participation.** When an elementary or secondary school establishes a team for students of the female sex, students of the male sex may not try out for or participate on that team. For purposes of this section, "sex" means the physical condition of being male or female, which is genetically determined by a person's chromosomes and is identified at birth by a person's anatomy.

Subd. 3. **Minnesota State High School League.** The Minnesota State High School League shall review and conform league rules, guidelines, procedures, and eligibility bylaws to be consistent with this section.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. **[121A.35] STUDENT PHYSICAL PRIVACY ACT.**

Subdivision 1. **Purpose.** The purpose of this section is to protect and provide for the privacy and safety of all students enrolled in public schools and to maintain order and dignity in restrooms, locker rooms, changing rooms, showers, and other facilities where students may be in various states of undress in the presence of other students.

Subd. 2. **Definitions.** For the purposes of this section, the following terms have the meanings given them.

(a) "Sex" means the physical condition of being male or female, which is determined by a person's chromosomes and is identified at birth by a person's anatomy.

(b) "Public school" means a public school under section 120A.05, subdivisions 9, 11, 13, and 17, and a charter school under section 124D.10.

Subd. 3. **Student physical privacy protection.** (a) A public school student restroom, locker room, changing room, and shower room accessible by multiple students at the same time shall be designated for the exclusive use by students of the male sex only or by students of the female sex only.

(b) A public school student restroom, locker room, changing room, and shower room that is designated for the exclusive use of one sex shall be used only by members of that sex.

(c) In any other public school facility or setting where a student may be in a state of undress in the presence of other students, school personnel shall provide separate, private, and safe areas designated for use by students based on their sex.

(d) Nothing in this section shall prohibit public schools from providing accommodation such as single-occupancy facilities or controlled use of faculty facilities upon a student request due to special circumstances, but in no event shall that accommodation result in a public school allowing a student to use a facility designated under paragraph (b) for a sex other than the student's own sex.